Unofficial Copy F3 2003 Regular Session 3lr2107 CF 3lr2050

By: Delegate Minnick

Introduced and read first time: February 7, 2003

Assigned to: Appropriations

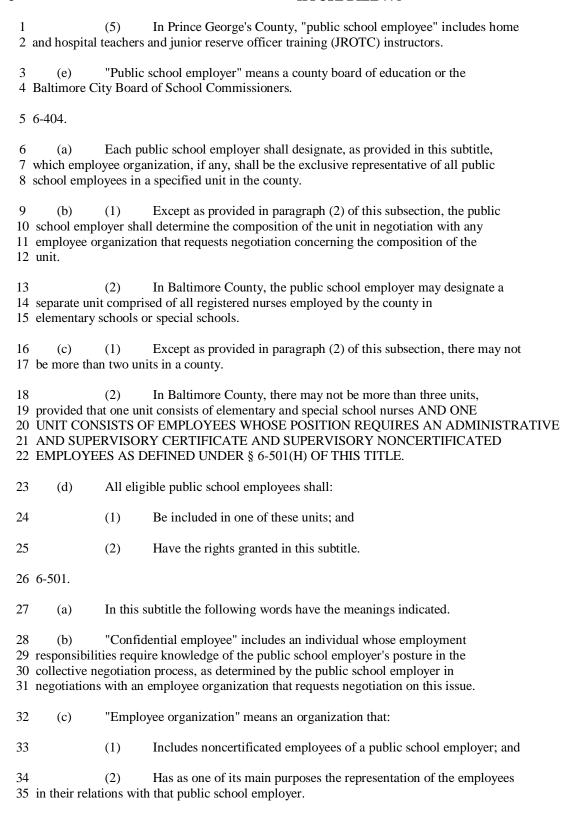
A BILL ENTITLED

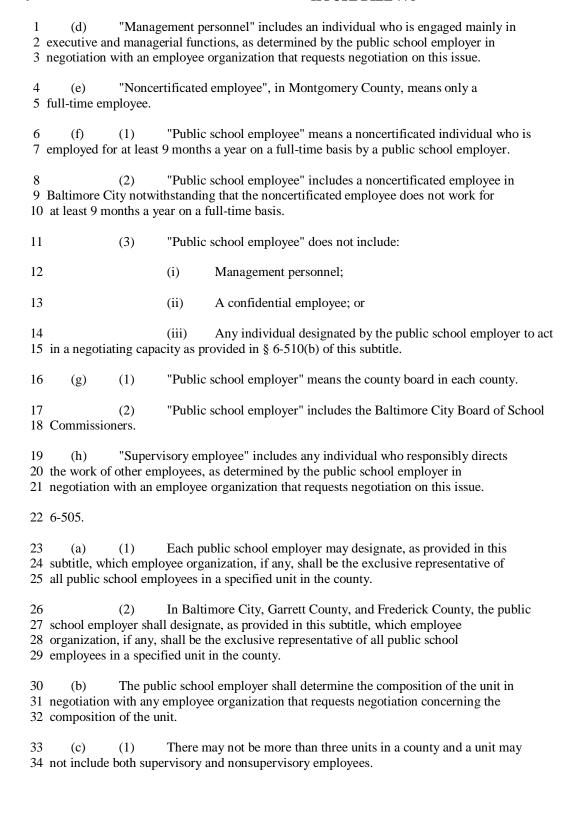
1	AN ACT	concerning
---	--------	------------

2 Education - Baltimore County - Public School Employees

- 3 FOR the purpose of altering the definition of "public school employee" as it applies to
- 4 provisions that relate to organizations of employees in Baltimore County;
- 5 establishing a certain unit of certain employees in Baltimore County;
- 6 authorizing only a certain number of units in Baltimore County; providing that
- 7 a certain unit shall be deemed the designated representative for a certain unit of
- 8 employees; providing that this Act may not be construed to confer certain rights
- 9 of certification on certain noncertified employees; and generally relating to
- organizations for public school employees in Baltimore County.
- 11 BY repealing and reenacting, with amendments,
- 12 Article Education
- 13 Section 6-401, 6-404, and 6-505
- 14 Annotated Code of Maryland
- 15 (2001 Replacement Volume and 2002 Supplement)
- 16 BY repealing and reenacting, without amendments,
- 17 Article Education
- 18 Section 6-501
- 19 Annotated Code of Maryland
- 20 (2001 Replacement Volume and 2002 Supplement)
- 21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 22 MARYLAND, That the Laws of Maryland read as follows:
- 23 Article Education
- 24 6-401.
- 25 (a) In this subtitle the following words have the meanings indicated.
- 26 (b) "Employee organization" means an organization that:

1 2	(1) individuals of equival		s certificated employees of a public school employer or s in Baltimore City; and					
3	(2) in their relations with		one of its main purposes the representation of the employees ic school employer.					
7	unable to function eff	(c) (1) "Home and hospital teacher" means a teacher employed by a public mool employer to provide instructional services to a public school student who is able to function effectively in the classroom setting due to the student's medical, ysical, or emotional condition.						
9	(2)	A home	and hospital teacher may teach in:					
10		(i)	A private home;					
11		(ii)	A hospital;					
12		(iii)	A therapeutic center;					
13		(iv)	A school; or					
14		(v)	Any other appropriate site.					
17 18	(d) (1) "Public school employee" means a certificated professional individual who is employed by a public school employer or an individual of equivalent status in Baltimore City, except for a county superintendent or an individual designated by the public school employer to act in a negotiating capacity as provided in § 6-408(b) of this subtitle.							
20	(2)	In Mont	gomery County, "public school employees" include:					
	by the public school year ending June 30,		Certificated and noncertificated substitute teachers employed for at least 7 days before March 1 of the school fiscal d each year after; and					
			Home and hospital teachers employed by the public school efore March 1 of the school fiscal year ending June 30,					
27	(3)	In Baltin	more County, "public school employee" includes:					
28 29	a special school nurs	(I) e; AND	[a] A secondary school nurse, an elementary school nurse, and					
30 31	UNDER § 6-501(H)	(II) OF THIS	SUPERVISORY NONCERTIFICATED EMPLOYEES AS DEFINED TITLE.					
32 33	(4) worker employed by		crick County, "public school employee" includes a social school employer.					





	(2) If a county has more than three recognized units and, as of July 1, 1974, the units have exclusive representation for collective negotiations, these units may continue as negotiating units.						
-	NONSUPERV	(3) IN BALTIMORE COUNTY, THERE SHALL ONLY BE THREE CONSUPERVISORY UNITS IN ADDITION TO THE SUPERVISORY UNIT DEFINED UNDER 6-404(C)(2) OF THIS TITLE.					
7	(d)	(1)	All eligi	ble public school employees shall:			
8			(i)	Be included in one of these units; and			
9			(ii)	Have the rights granted in this subtitle.			
	(2) Except for an individual who is designated as management personnel or a confidential employee under this subtitle, each public school employee is eligible for membership in one of the negotiating units.						

- 13 SECTION 2. BE IT FURTHER ENACTED, That the organization for
- 14 administrative and supervisory positions currently recognized under § 6-404 of the
- 15 Education Article shall be deemed the designated representative for the unit created 16 in § 6-404(c)(3) of the Education Article and shall be subject to the provisions of
- 17 Subtitle 6 of the Education Article.
- 18 SECTION 3. BE IT FURTHER ENACTED, That this Act may not be construed
- 19 to confer rights arising from certification on noncertificated employees.
- 20 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 21 October 1, 2003.